

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

August 5, 2010

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on July 29, 2010 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Valentine  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending August 4, 2010 in the amount of \$ 281,736.47 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of July 29 – August 4, 2010
- Report from the Building Inspector's Office from July 30 – August 2, 2010

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Kelly  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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5. **AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 472,341.68 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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6. **PERSONS ADDRESSING COUNCIL:**

**Rudolph Mesec** 4 George Street spoke about the Compost plant and it shouldn't be started again because it will smell and the chemicals are caustic and ruined trees etc

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7. **OTHER ITEMS:**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves City Contract No. 2010-12 Saranac River Trail Multi-Use Path – Phase 1 Steltzer Road Construction Contract (NYSDOT PIN 7 ME028.30) be awarded to Fuller Excavating for the Unit Price Bid of \$299,299.

By Councilor Rabideau; Seconded by Councilor Jackson  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves that the Mayor be authorized to appoint Mr. Stanley Supinski to the temporary position of Clerk of the Works to provide Construction Inspection Services for the Saranac River Trail Multi-Use Path – Phase 1 Steltzer Road Construction Project and to authorize a transfer of funds in the amount of \$24,000 from the Project Capital Budget to the Engineering & Planning Department Payroll account to cover the cost of this temporary position.

By Councilor Valentine; Seconded by Councilor Carpenter  
Discussion: None  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. Motion to waive rule 4 for initial consideration** “Recommendation from Corporation Counsel John Clute that the Mayor is authorized to send a letter on behalf of the City of Plattsburgh to Senators Schumer and Gillibrand supporting the New York State Thruway’s position in a matter pending before the Federal Communications Commission concerning the rights of state and local governments to negotiate reasonable compensation to be paid by telecommunications providers for the use of public rights of way and other public property.”

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**RESOLVED:** The Mayor is authorized to send a letter on behalf of the City of Plattsburgh to Senators Schumer and Gillibrand supporting the New York State Thruway’s position in a matter pending before the Federal Communications Commission concerning the rights of state and local governments to negotiate reasonable compensation to be paid by telecommunications providers for the use of public rights of way and other public property.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

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**8. TRAVEL REQUEST: None**

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION:**

1. Recommendation from Corporation Counsel John Clute that the Mayor is authorized to send a letter on behalf of the City of Plattsburgh to Senators Schumer and Gillibrand supporting the New York State Thruway’s position in a matter pending before the Federal Communications Commission concerning the rights of state and local governments to negotiate reasonable compensation to be paid by telecommunications providers for the use of public rights of way and other public property. **(Move to agenda under “Other Items” Letter C)**
2. Request from Laura Carmichael Event Coordinator of the Autism Awareness Walk to close the inside lane at the PARC Oval on Saturday, October 2, 2010 from 9 am until 11 am for the walk.

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**10. NEW BUSINESS:**

**Councilor Jackson** asked **City Chamberlain Richard Marks** if he received any check from the Town of Plattsburgh. **City Chamberlain Richard Marks** stated no check was received.

**Councilor Carpenter** asked **Corporation Counsel John Clute** if since the payment is late is there a penalty and shouldn't interest be paid or have the Town of Plattsburgh pay a late fee. **Corporation Counsel John Clute** the City would be entitled to 9% which is the statutory interest rate on contract obligations but it could cost the City more in legal fees than the amount to collect.

**Councilor Calnon** stated that knowing how bureaucracies work and upset as he was by the fact that we still haven't gotten it in and by the very confusing, actually accusatory correspondence he had there was no way the town would be able to issue a check by Monday and Tuesday of this week that was mentioned in the news media. He believes if it is not here by next week they need to consider a resolution exactly along those lines of how we are going to collect this money.

**Councilor Valentine** wondered if this was going to be the same case with the October payment.

**Councilor Calnon** wanted to mention the chairman of the New York Power Authority was in town today and stopped and visited in the Chambers it was a conversation similar to last year not really any new initiatives. The first question to us was "What can we help you with, what do you need from us?" **MLD Manager Bill Treacy** told them the new regulations under NERC and FERC that we are having to deal with. The good news is NYPA has hired an attorney specifically for regulatory issues and they have indicated a desire to have her work with our Municipal Electric Utilities Association so that we can get some good advice on how we go forward.

**Councilor Jackson** stated every time the chairman comes up here he asks him to extend to 2045. The Chairman said he would send their attorney up here to work with **Bill Treacy** on our compliance.

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**11. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**MEETING ADJOURNED: 5:47 pm**